

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SIXTH ANGEL SHEPHERD
RESCUE INC., et al.,
Plaintiffs,**

v.

**PENNSYLVANIA SPCA, et al.,
Defendants.**

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CIVIL ACTION

No. 10-3101

ORDER

AND NOW, this 15th day of **February, 2011**, upon consideration of Defendants' Motions to Dismiss Sixth Angel's Second Amended Complaint, Plaintiff's Response thereto, and for the reasons stated in this Court's Memorandum dated February 15, 2011, it is hereby **ORDERED** that:

1. Defendants' motions (Document Nos. 45, 46) are **GRANTED in part** and **DENIED in part**.
 - a. Defendants' motions are **GRANTED** with respect to Plaintiff's declaratory judgment claims as to the Pennsylvania Dog Law.
 - b. Defendants' motions are **GRANTED** with respect to Plaintiff's noncompliance with Federal Rule of Civil Procedure 8(a).
 - c. Defendants' motions are otherwise **DENIED as moot**.
2. Plaintiff's declaratory judgment claims as to the Pennsylvania Dog Law are **DISMISSED with prejudice**.
3. Plaintiff's remaining claims are **DISMISSED without prejudice**.
4. Plaintiff may file a Third Amended Complaint no later than March 1, 2011.
 - a. Plaintiff's Third Amended Complaint must comply with Rule 8 of the

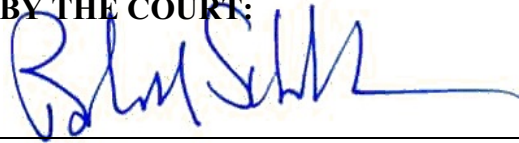
Federal Rules of Civil Procedure, including a short and plain statement of Plaintiff's claims and a demand for relief sought as to each defendant.

b. Plaintiff is required to organize its Third Amended Complaint to allege a distinct cause of action in each count.

5. Plaintiff's Motion for Partial Summary Judgment on Its Action for Declaratory Judgment (Document No. 61) is **DENIED as moot**.

6. Defendants' Joint Motion for an Extension of Time to Respond to Plaintiff's Motion for Partial Summary Judgment on Its Action for Declaratory Judgment (Document No. 62) is **DENIED as moot**.

BY THE COURT:

A handwritten signature in blue ink, appearing to read 'Berle M. Schiller', written over a horizontal line.

Berle M. Schiller, J.